

Remarks:

Claims 1-8 remain for consideration in this application with claim 1 being the sole independent claim. Claims 9-11 were previously canceled in the original response to the restriction requirement.

After reviewing the response to the restriction requirement, it was discovered that no provisional election of species in accordance with the Office Action was set forth in the response. Accordingly, applicants are submitting this Supplemental Amendment and Response in order to supplement their original response to the Restriction Requirement.

Applicants hereby provisionally elect Sequence ID No. 1 as the peptide, endothelium as the specific location to which the leukocyte is attracted, and neutrophil as the specific type of leukocyte. Applicants further note that this is a provisional election and in the event that a claim generic to any one of the provisionally elected variations of the elected species (e.g., a claim generic to the type of leukocyte) is found allowable, additional species will also be allowable if written in dependent form or if they otherwise include all of the limitations of the independent claim. Currently, claims 1-8 are all readable on the elected species.

Any additional fee which is due in connection with this amendment should be applied against our Deposit Account No. 19-0522. However, applicants assert that no time extension fee or petition is due in connection with this supplementary amendment as the amendment and response dated July 19, 2004 was bona fide and timely. Moreover, under 37 C.F.R. 1.111, entry of this Supplemental Amendment and Response should not duly interfere with the preparation of an Office Action responsive to the reply of July 19 as only 2 days have passed since the submission of the original

response. Additionally, there are no substantive changes made pursuant to this Supplemental Amendment and Response. Accordingly, applicants respectfully request entry of this Amendment without payment of any time extension fees or petition under 37 C.F.R. 1.136. In the event that the Office determines that a petition under 37 C.F.R. 1.136 is necessary, please treat this response as such a petition.

In view of the foregoing, a Notice of Allowance appears to be in order and such is courteously solicited.

Respectfully submitted,

By 
Tracey S. Truitt, Reg. No. 43,205
Hovey Williams LLP
2405 Grand Boulevard, Suite 400
Kansas City, Missouri 64108
816/474-9050

ATTORNEYS FOR APPLICANT(S)